

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT MICHAEL McHALE,

Petitioner,

No. 2:15-cv-01513-PK

v.

MARK NOOTH, Superintendent, Snake
River Correctional Institution,

Respondent.

ORDER

HERNANDEZ, District Judge:

Magistrate Judge Papak issued a Findings & Recommendation (#50) on July 10, 2017, in which he recommends the Court deny Petitioner's Petition for Writ of Habeas Corpus. Petitioner has timely filed objections to the Findings & Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th

Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


I have carefully considered Petitioner's objections and conclude there is no basis to modify the Findings & Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no other errors in the Magistrate Judge's Findings & Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Papak's Findings & Recommendation [50], and therefore, Petitioner's Petition for Habeas Corpus [2] is denied.

IT IS SO ORDERED.

DATED this 7 day of September, 2017.


MARCO A. HERNANDEZ
United States District Judge